

# EXHIBIT 19

1           IN THE UNITED STATES DISTRICT COURT  
2           FOR THE NORTHERN DISTRICT OF OHIO  
3           EASTERN DIVISION  
4           -   -   -  
5

6           IN RE:    NATIONAL                   :   HON. DAN A.  
7           PRESCRIPTION OPIATE           :   POLSTER  
8           LITIGATION                   :   :  
9   :   :  
10          APPLIES TO ALL CASES           :   NO.  
11   :   1:17-MD-2804  
12   :   :  
13

14                   - HIGHLY CONFIDENTIAL -  
15

16          SUBJECT TO FURTHER CONFIDENTIALITY REVIEW  
17                   -   -   -  
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19                   January 4, 2019  
20                   -   -   -  
21

22                   Videotaped deposition of  
23          MATTHEW DAY, taken pursuant to notice,  
24          was held at the offices of Golkow  
                Litigation Services, 1650 Market Street,  
                Philadelphia, Pennsylvania, beginning at  
                9:35 a.m., on the above date, before  
                Michelle L. Gray, a Registered  
                Professional Reporter, Certified  
                Shorthand Reporter, Certified Realtime  
                Reporter, and Notary Public.

25                   -   -   -  
26                   GOLKOW LITIGATION SERVICES  
27                   877.370.3377 ph | 917.591.5672 fax  
28                   deps@golkow.com  
29

1       those prior marketing activities?

2               A.       Yes.

3               Q.       How were you made aware of  
4       those?

5               A.       Through -- these continued  
6       to be points of emphasis during the  
7       training program that we were developing.  
8       Opioid tolerance was critical because it  
9       could lead to life-threatening  
10      respiratory depression in patients.

11              Q.       You get hired on in, what,  
12      July of '07 as kind of the sales training  
13      manager, correct?

14              A.       Mm-hmm.

15              Q.       Is that yes?

16              A.       Yes.

17              Q.       And who advised or trained  
18      you when you were first hired as sales  
19      training manager at Cephalon?

20                      MR. ANDRISANI:  Objection to  
21      form.

22                      THE WITNESS:  I was trained  
23      by a combination of people from  
24      medical to my direct line manager

1 to meeting with marketing and even  
2 regulatory personnel and legal.

3 BY MR. MADDEN:

4 Q. All right. With regard to  
5 the items that we just looked at with  
6 regard to Actiq -- Actiq, the guilty plea  
7 and the prior off-label marketing  
8 activities, who at Cephalon informed you  
9 about that prior activity with regard to  
10 Actiq?

11 A. Our compliance department.

12 Q. Who in the compliance  
13 department?

14 A. Karen Lowney.

15 Q. Is she still with Teva?

16 A. She is not.

17 Q. Do you know where she is  
18 now?

19 A. I do not.

20 Q. What did Karen tell you  
21 about the Actiq situation and prior  
22 off-label marketing activities?

23 MR. ANDRISANI: Objection.

24 THE WITNESS: Well, from my

1           recollection of the way the  
2           organization communicated this is  
3           that once they entered into the  
4           CIA, there was actually an entire  
5           training program and protocol that  
6           was put in place through the  
7           compliance department. I believe  
8           it was three or four modules that  
9           highlighted the important features  
10          that we are talking here, and also  
11          other key areas within the CIA.

12                 So it wasn't like a  
13          one-on-one interaction. It was a  
14          companywide training initiative.

15       BY MR. MADDEN:

16                 Q.       And did you read and take  
17          the test that went with those manuals?

18                 A.       Yes.

19                 Q.       Have you read the Corporate  
20          Integrity Agreement entered by Cephalon?

21                 A.       I have not.

22                 Q.       But you read the modules and  
23          took the test, correct?

24                 A.       Correct.

1           Q.       So with regard to your work  
2       as a sales training manager for Fentora,  
3       you did not have the benefit of reading  
4       the actual Corporate Integrity Agreement,  
5       is that true?

6           A.       Yes, that's true.

7           Q.       When in the fall of  
8       September of 2008 it was announced that  
9       Cephalon had entered an agreement to pay  
10      \$425 million for off-label promotion of  
11      drug that included Actiq, were there  
12      people who lost their jobs as a result of  
13      that?

14                   MR. ANDRISANI: Objection.

15                   THE WITNESS: I'm not aware  
16                   of specific displacements due to  
17                   that.

18      BY MR. MADDEN:

19           Q.       Were you aware of your  
20      predecessor as sales training manager,  
21      whether that person was disciplined or  
22      fired as a result of the prior off-label  
23      promotion of Actiq?

24                   MR. ANDRISANI: Objection.